

Message Text

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ACTION EB-08

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 USIE-00
TRSE-00 EUR-12 DOE-11 ISO-00 SOE-02 DOEE-00 SSO-00
/034 W

-----130773 231433Z /42

O 231413Z FEB 78

FM AMEMBASSY PARIS

TO SECSTATE WASHDC IMMEDIATE 7251

C O N F I D E N T I A L SECTION 01 OF 02 PARIS 06316

EXCON

E.O.11652: XGDS-1

TAGS: ESTC COCOM FR UR

SUBJ: FOREIGN MINISTRY RESPONSE TO LETTER OF INQUIRY
REGARDING ACB PRESSES

REF: (A) PARIS 4258; (B) STATE 28658

1. THE OFFICE FOR EXPORT CONTROL OF STRATEGIC PRODUCTS AT THE MINISTRY OF FOREIGN AFFAIRS (JEAN-PIERRE ALLEX-LYOUTI) REQUESTED EMBASSY ECONOFF (EDO) TO COME TO MINISTRY SO THAT HE COULD EXPRESS GOF VIEWS REGARDING THE EMBASSY LETTER SENT TO ATELIERS ET CHATIER DE BRETAGNE (ACB) ON FEB 9, 1978 (REF A). ALLEX-LYOUTI SAID HE HAD BEEN INSTRUCTED TO EXPRESS CONCERN THAT THE LETTER HAD BEEN SENT DIRECTLY TO ACB. HE SAID IT WOULD HAVE BEEN MORE APPROPRIATE TO ADDRESS OUR QUESTIONS TO HIS MINISTRY. HE SAID THERE WAS DANGER THAT THE LETTER COULD HAVE BEEN EXPLOITED FOR SPECIFIC POLITICAL PURPOSES IN PUBLIC, PARTICULARLY AT THIS TIME (IMPLYING THAT THE PERIOD JUST BEFORE THE MARCH GENERAL ELECTIONS WAS PARTICULARLY SENSITIVE). EMBOFF EXPRESSED REGRET FOR CONCERN WHICH LETTER MAY HAVE CAUSED, BUT HE EXPLAINED IN DETAIL THE REGULAR PROCEDURE BY WHICH
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FOREIGN COMPANIES ARE REQUESTED TO PROVIDE INFORMATION, ON A VOLUNTARY BASIS, REGARDING DISPOSITION OF PRODUCTS UNDER US EXPORT LICENSING CONTROLS. ALLEX-LYOUTI CONCURRED WITH THE US INTEREST IN DETERMINING THE DISPOSITION OF SUCH ITEMS.

2. FOLLOWING THIS PROCEDURAL QUESTION, ALLEX-LYOUTI

RESPONDED TO THE SUBSTANTIVE QUESTIONS RAISED IN THE LETTER TO ACB CONCERNING US LICENSING AUTHORITY OVER PRESSES BEING SENT TO THE USSR AS CITED BY CYRIL BATH. ALLEX-LYOU DI REVIEWED THE SPECIFIC 1966 PURCHASE ORDER 47030 CITED IN REFERENCE. HE NOTED THAT BOEING HAD GIVEN THIS ORDER TO CYRIL BATH WHICH INVOLVED AN UNUSUAL PRESS WITH CAPABILITIES FOR MANUFACTURING AIRCRAFT PARTS AND WHICH MET EXCEPTIONAL TECHNICAL SPECIFICATIONS. CYRIL BATH CHOSE NOT TO MANUFACTURE THE PRESS BUT PASSED THE ORDER WITH ACCOMPANYING TECHNICAL SPECIFICATIONS TO ACB. ACB PRODUCED THE PRESS, ACCORDING TO ALLEX-LYOU DI, USING FRENCH TECHNOLOGY WHICH DATED TO 1951, AND SHIPPED THE PRESS TO BOEING. ALLEX-LYOU DI THEN STRESSED THAT THE SPECIFIC PRESS PRODUCED FOR BOEING IS NOT AT ALL COMPARABLE WITH THE PRESSES BEING SENT TO THE USSR BY ACB. ECONOFF ASKED WHETHER FRANCE HAD EVER SENT PRESSES OF THE BOEING SPECIFICATIONS TO THE USSR. ALLEX-LYOU DI RESPONDED THAT THE BOEING PRESS MET EXCEPTIONAL TECHNICAL SPECIFICATIONS, THAT IT WAS VERY EXPENSIVE, AND THAT FRANCE HAD NEVER EXPORTED THAT PARTICULAR MACHINE TO ANY OF THE COUNTRIES PROSCRIBED BY COCOM. ECONOFF EXPRESSED APPRECIATION FOR THE INFORMATION WHICH HAD BEEN PROVIDED.

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3. COMMENTS: UNLESS THE USG CAN PROVIDE EVIDENCE TO REFUTE THE FRENCH CONTENTION THAT ACB PRESSES DESTINED FOR THE USSR ARE NOT AT ALL COMPARABLE TO THE BOEING SUBCONTRACTED PRESS, WE HAVE NO REASON TO ASSUME FRENCH CIRCUMVENTION OF US LICENSING PROCEDURES. WE NOTE THAT THIS QUESTION HAS BEEN TREATED AS A SEPARATE ISSUE, INDEPENDENT OF COCOM DETERMINATION WHETHER PRESSES IN GENERAL OF THESE TYPES SHOULD BE SUBMITTED TO COCOM. WE WONDER ON WHAT BASIS CYRIL BATH DETERMINED THAT ACB PRESSES BEING EXPORTED TO THE USSR ARE IDENTICAL TO THE ONE WHICH CYRIL BATH CONTRACTED FOR IN 1966 IN CITED PURCHASE ORDER AND UNDER WHICH US PRESUMABLY MIGHT THEN ATTEMPT TO EXERCISE SUBSEQUENT RE-EXPORT CONTROL. WE ALSO BELIEVE IT IS ESSENTIAL TO CLARIFY WHETHER IN FACT US TECHNICAL KNOW-HOW WAS TRANSFERRED WHICH CONTRIBUTED TO THE CONSTRUCTION OF THE PRESS ITSELF OR WHETHER ONLY THE TECHNICAL SPECIFICATIONS OF THE PARTS PRODUCED BY THE PRESS WERE UNDER US LICENSING CONTROL. ALLEX-LYOU DI STRESSED THAT THE TECHNICAL KNOW-HOW WHICH WENT INTO PRODUCING THE ACB PRESS FOR BOEING WAS OF FRENCH ORIGIN.

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4. PLEASE ADVISE WHETHER CYRIL BATH HAS PROCEEDED TO INFORM ACB OF US RE-EXPORT JURISDICTION PER REF B, PARA 3. IN VIEW OF ABOVE OFFICIAL FRENCH RESPONSE TO EMBASSY LETTER AND UNTIL EXACT BASIS FOR CONTINUING LICENSING CONTROL IS PROVIDED, WE SUGGEST CYRIL BATH INQUIRY BE WITHHELD.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: PRESSES, STRATEGIC TRADE CONTROLS, HYDRAULIC EQUIPMENT
Control Number: n/a
Copy: SINGLE
Draft Date: 23 feb 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978PARIS06316
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Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: X1
Errors: N/A
Expiration:
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Format: TEL
From: PARIS
Handling Restrictions: n/a
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Line Count: 156
Litigation Code IDs:
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Review Exemptions: n/a
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